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INTERNATIONAL SECRETARIAT
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URGENT ACTION

EXTERNAL (for general distribution)

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Further information on UA 408/91 (ASA 21/26/91, 22 November 1991) - Legal Concern/Fear of Torture

INDONESIA/EAST TIMOR:

The following list of names supercedes the list provided in the original Urgent Action.

Jakarta:

Metodio Muniz
Antonio Lopez
Felipe da Silva
Joao Sarmento
Fausto Berhading
Joao Travolta
Agapito Cardoso*
Gregorio de Araujo
Jose Maria Belo
Avelino Maria
Mario Canecas
Egas Q Monteiro
Franciso Vasco Ramos
Joselius de Oliveira
Sergio Dias Q
Joao Freitas Camara
Benevides C Barrol
Domingos Barreto
Judio da Costa
Virgilio
Antonio Soares
Elder de Oliveira

Yogyakarta:

nine students, including:
Jose Luis*
Elidio (Epidio)*
Diometrio
Rogerio
Flavio
Pedrito

Bandung:

nine students, including:
Agus Jaya (Ajay)
Asep
Novi
Daniel
Nurdin
Pius

Denpasar:

Jose Pompeia Saldanha Ribeiro*
Fernando de Araujo*
Clemente Soares
Antonio Matos*

More than 90 students and young people, most of them East Timorese, have been detained in various Indonesian cities during the last two weeks in connection with their political and human rights activities. At least 25, and possibly many more, remain in custody and some are being held in incommunicado detention. A number of Jakarta-based human rights activists have also been questioned by military intelligence agents. The arrests have followed an incident at a cemetery in Dili, East Timor, on 12 November 1991, in which an estimated 100 people were shot dead by Indonesian soldiers.

Amnesty International believes that some or all of those detained may be prisoners of conscience. It further believes that the arrests may be intended to prevent the dissemination of information about the massacre and its aftermath, and to disrupt non-violent protests against Indonesian rule in East Timor. It is calling for the immediate release of anyone held solely for their non-violent political beliefs or activities. It is also urging the Indonesian authorities to grant immediate access to those in detention to their lawyers and relatives, in accordance with the Indonesian Code of Criminal Procedure (KUHAP) and international law.

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience.* It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners.*

Among those arrested are at least six students (indicated by an asterisk *) who had been under surveillance by Indonesian military intelligence because of their alleged involvement in monitoring and disseminating information abroad about human rights and political developments. They were among 20 students named in a secret military intelligence document which described the human rights related and political activities of East Timorese student activists in various Indonesian cities. None of the activities described in the document was unlawful and none involved the use or advocacy of violence. In its statement to the United Nations Special Committee on Decolonization in August 1991, Amnesty International expressed concern that those named in the military document "may be in danger of detention on account of their non-violent activities." (See ASA 21/14/91)

Twenty-one students held at the Metropolitan Jakarta Police Station (listed above) were among a group of 70 people arrested on 19 November 1991 during a peaceful demonstration against the killings at the Santa Cruz cemetery in Dili one week earlier (See East Timor: The Santa Cruz Massacre, AI Index: ASA 21/23/91, 14 November 1991 and East Timor: After the Massacre, AI Index: ASA 21/24/91, 21 November 1991). The Commander of the Armed Forces said on 27 November that these 21 were "still under investigation". They may still be charged with "expressing feelings of hostility, hatred or contempt" toward the Indonesian Government, under Articles 154 and 155 of the Indonesian Criminal Code (KUHP). Forty-nine others were released on 26 November after being held for one week in incommunicado detention.

In a statement to the press on 20 November, the commander of the Greater Jakarta Military Command (KODAM JAYA), admitted that the 19 November demonstration had been "a small thing, of no great significance", and that none of the demonstrators had been carrying weapons of any sort. However, he said that the students had been "sponsored" by three people who were "hostile to the nation and to the government" and who "received funds from abroad to stir up trouble...". He went on to say: "I could not tolerate this so I ordered the arrest of the sponsors."

The same day, three human rights activists were called in for questioning by military intelligence authorities in Jakarta (BAKORSTANASDA). Haji Ponke Princen, Director of the Institute for the Defence of Human Rights (LPHAM) and Indro Tjahjono of the human rights organization "Infight" have since then been required to report daily to the military authorities for questioning. The third, Yopie Lasut of the New Life Prison Fellowship (*Hidup Baru*), is believed to have gone into hiding. Haji Princen was one of a group of human rights activists and lawyers who had planned to travel to Dili in order to conduct independent investigations into the Santa Cruz incident.

A team of human rights lawyers and advocates, led by the Legal Aid Institute (LBH), tried to visit the detainees on 22 November but were told that they could not do so until the police had completed their interrogation. When the team returned on 26 November, they were again denied permission to meet the students alone in their cells. They were allowed to meet one student, Joao Freitas Camara, who was being held separately in the Intelligence section of the police station, but they were accompanied by two police officers. They met two others in the office of a police Major shortly before they were to be released.

Six East Timorese students were arrested in Denpasar, Bali, on 23 November and held at police headquarters (POLDA NUSRA), in connection with their political and human rights activities. Jose Paulo da Silva and Joaquim da Costa Freitas* were released at 11 pm on 25 November but the four others remained in custody as of 28 November. According to reports, one of the students, Clemente Soares, was punched by police while being interrogated, but the others have not been ill-treated.

Nine students were reportedly arrested in the city of Yogyakarta on or about 23 November 1991. According to unconfirmed reports, nine more students were detained by Indonesian security forces on 20 November 1991, during a demonstration about East Timor on the campus of Parahyangan University in Bandung. Amnesty International has not been able to confirm or to obtain further details about the arrests in Yogyakarta and Bandung.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended actions. If possible, send a telegram, telex, fax or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Actions cases, Amnesty International has to act rapidly on behalf of victims of grave human rights violations. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action co-ordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern that 21 East Timorese students remain in custody in the Metropolitan Jakarta Police Station after being arrested at a peaceful demonstration on 19 November 1991;

- expressing concern that police authorities have denied lawyers access to the detainees in contravention of the Indonesian Code of Criminal Procedure and international law;

- expressing concern about the reported detention of dozens of other students in Denpasar, Yogyakarta and Bandung, for their alleged political or human rights related activities;

- expressing concern that the students may be charged under legislation which appears to contravene international human rights law guaranteeing freedom of expression and opinion;

- calling on the government to release all those detained solely for the peaceful expression of their political views or activities.

APPEALS TO:

1. Minister of Justice:
Let. Ismail Saleh **Your Excellency**
Jalan Rasuna Said, Kav 6-7
Kuningan, Jakarta Selatan, Indonesia
Telegrams: Justice Minister, Jakarta, Indonesia
Telexes: 44404 DITJENIM IA
Faxes: + 62 21 32 1625

2. Chief of the National Police:
General Kunarto **Dear General**
Kepala Kepolisian RI
Markas Besar Kepolisian RI Jl.
Trunojoyo 13
Kebayoran Baru, Jakarta Selatan, Indonesia
Telegrams: General Kunarto, Kepala Kepolisian RI, Jakarta, Indonesia

3. Personal Secretary to Jakarta Chief of Police:
Sespri Kapolda Jaya **Dear Letkol Tryono S.**
Letkol Tryono S.
Markus Besar Kepolisian Jaya
Jakarta, Indonesia
Telegrams: Sespri Kapolda Jaya, Kepala Kepolisian RI, Jakarta, Indonesia

4. Director General of Corrections:
Prof Dr Baharuddin Lopa **Dear Sir**
Department of Justice
Jl. Veteran No. 11, Jakarta Pusat,
Indonesia
Telegrams: Director General of Corrections, Justice Department, Jakarta, Indonesia
Faxes: + 62 21 32 1625

COPIES TO:

Yayasan Lembaga Bantuan Hukum Indonesia (Indonesian Legal Aid Foundation)
Jl. Diponegoro 74
Jakarta 10320, Indonesia

Jakarta Post (newspaper)
PO Box 85
Jakarta 11001, Indonesia
Faxes: + 62 21 549 2685

and to diplomatic representatives of Indonesia in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 January 1992.